

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN TYLER,

Petitioner,

CIVIL ACTION

v.

NO. 04-40101-DPW

DEPARTMENT OF JUSTICE, et al.,
Respondents.

O R D E R

WOODLOCK, D. J.

On June 3, 2004, petitioner John Tyler, a prisoner confined at FMC Devens, filed a petition for a writ of habeas corpus under Section 2241 but did not submit the \$5 filing fee or an application for waiver of the filing fee with a certified prison account statement.

ACCORDINGLY,

(1) The Clerk of this Court shall serve a copy of the Petition, by certified mail, upon
(i) David Winn, Warden, FMC Devens, P.O. Box 879, Ayer, Massachusetts 01432; AND
(ii) the United States Attorney;

(2) The Respondents shall, within 28 days of receipt of this Order, file an answer or other responsive pleading.

(3) Petitioner shall pay the \$5 filing fee or submit an application for waiver of the filing fee with a certified prison account statement within 42 days of the date of this Order;

(4) The Clerk shall send Petitioner an Application to Proceed Without Prepayment of Fees with this Order.

SO ORDERED.

6/8/04
Date

s/ Douglas P. Woodlock
United States District Judge